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EXAMINER

NGUYEN, KEVIN M

ART UNIT PAPER NUMBER

2674

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/075,520	KERR, DUNCAN	
	Examiner	Art Unit	
	Kevin M. Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005 of R.C.E.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/25/2005 has been entered. An action on the RCE follows:

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-19, 39-42, 43-54 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 56 of copending Applicant 10/075,964.

Current application recites "a microprocessor, monitored events, a light system, a housing, a dynamic ornamental appearance", whereas the conflicting current application

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10/075,964 recites terms "a housing, a light emitting device, a processor, the ornamental appearance". It would have been obvious to make the claimed limitations of the current application 10/075,520 and the copending application 10/075,964 are different, but these limitations have the same meaning for illuminating the housing.

Current application recites "a data storage device", whereas the conflicting copending application 10/075,964 does not recite "a data storage device". It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the "data storage device" (memory) for the current application 10/075,520 the benefit of temporary holding data that is being used by at least the processor, and typically storing programming instructions for use with the processor.

4. Claims 27, 29 and 31 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 65 of copending Applicant 10/075,964.

Current application recites "extending the feel of a screen display to a housing that surrounds the screen display, sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions; and changing the color of one or more regions of the housing based on the color indicators of one more sampled regions of the screen display", whereas the conflicting copending application 10/075,964 recites terms "a housing, a light arrangement enclosed by the housing, a display screen partially enclosed by the housing". It would have been obvious to make the claimed limitations of the current application 10/075,520 and the copending application

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10/075964 are different, but these limitations have the same meaning for illuminating the housing based on the screen display.

Current application recites "extending the feel of a screen display to a housing that surrounds the screen display, sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions; and changing the color of one or more regions of the housing based on the color indicators of one more sampled regions of the screen display", whereas the conflicting copending application 10/075,964 does not recite "extending the feel of a screen display to a housing that surrounds the screen display, sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions; and changing the color of one or more regions of the housing based on the color indicators of one more sampled regions of the screen display". It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the current application 10/075,520 the benefit of pertaining to electronic devices capable of dynamically changing ornamental, decorative, and color housing based on the screen display.

5. Claims 1-19, 39-42, 43-54 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 18 copending Applicant 10/773,897.

Current application recites "a microprocessor, monitored events, a light system, a housing, a dynamic ornamental appearance", whereas the conflicting current application 10/773,897 recites terms "a housing, a clear outer layer, a translucent inner layer, an indicator, a light device, a light barrier, a light guide". It would have been obvious to

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make the claimed limitations of the current application 10/075,520 and the copending application 10/773,897 are different, but these limitations have the same meaning for illuminating the housing.

Current application does not recite "a clear outer layer, a translucent inner layer, an indicator, a light device, a light barrier, a light guide", whereas the conflicting copending application 10/773,897 recites "a clear outer layer, a translucent inner layer, an indicator, a light device, a light barrier, a light guide". It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the benefit of pertaining to electronic devices capable of dynamically changing ornamental and decorative housing.

6. Claims 1-19, 39-42, 43-54 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 23 of copending Applicant 10/773,897.

Current application recites "a microprocessor, monitored events, a light system, a housing, a dynamic ornamental appearance", whereas the conflicting current application 10/773,897 recites terms "a processor, a light feature, one or more light emitting diodes, an illuminable housing, a light driver, a stable continuous current for driving the light emitting diode, the magnitude of the current effecting the light intensity of the light emitting diode". It would have been obvious to make the claimed limitations of the current application 10/075,520 and the copending application 10/773,897 are different, but these limitations have the same meaning for illuminating the housing.

Current application does not recite "one or more light emitting diodes, a stable continuous current for driving the light emitting diode, the magnitude of the current effecting the light intensity of the light emitting diode", whereas the conflicting copending application 10/773,897 recites "one or more light emitting diodes, a stable continuous current for driving the light emitting diode, the magnitude of the current effecting the light intensity of the light emitting diode". It would have been obvious to make the claimed limitations of the current application 10/075,520 and the copending application 10/773,897 are different, but these limitations have the same meaning for illuminating the housing.

7. Claims 27, 29 and 31 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Applicant.

Current application recites "extending the feel of a screen display to a housing that surrounds the screen display, sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions; and changing the color of one or more regions of the housing based on the color indicators of one more sampled regions of the screen display", whereas the conflicting copending application 10/773,897 recites terms "a housing, an indicator, indicating events, an indicator image at an outer surface of the housing when activated, and to eliminate the indicator image from the outer surface of the housing when deactivated". It would have been obvious to make the claimed limitations of the current application 10/075,520 and the copending application

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10/773,897 are different, but these limitations have the same meaning for illuminating the housing based on the screen display.

Current application recites "extending the feel of a screen display to a housing that surrounds the screen display, sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions; and changing the color of one or more regions of the housing based on the color indicators of one more sampled regions of the screen display", whereas the conflicting copending application 10/773,897 does not recite "extending the feel of a screen display to a housing that surrounds the screen display, sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions; and changing the color of one or more regions of the housing based on the color indicators of one more sampled regions of the screen display". It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the current application 10/075,520 the benefit of pertaining to electronic devices capable of dynamically changing ornamental, decorative, and color housing based on the screen display.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-19, 39-48, 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Cheng (newly cited, US 6,492,908).

10. As to claim 1, Cheng teaches a computer system comprises at least the personal computer 100 including inherently a microprocessor and a data storage device, enclosed in a light transmissible case 110 (housing) (fig. 1, col. 3, lines 27-29);

the lights 150 provide visible light emission as indications of the operational conditions or functional status of the personal computer 100 through the light transmissible case 110 (col. 3, lines 39-41);

a light control means 160 for controlling a flash-pattern (dynamic ornamental appearance) of the visible light for indicating various functional statuses (monitored events) of the personal computer (col. 3, lines 54-57).

11. As to claim 10, Cheng teaches a method comprising

the step of providing the light control means 160 further includes a step of providing a light intensity control means for controlling an intensity of the visible light for indicating various functional statuses of the electronic device 100,

the step of providing the light control means 160 further includes a step of providing a light flash-pattern control means for controlling a flash-pattern of the visible light for indicating various functional statuses of the electronic device,

the step of providing the light control means 160 further includes a step of providing a color control means for controlling a color of the visible light for indicating various functional statuses of the electronic device (col. 5, lines 40-53).

12. As to claims 2, 13, Cheng teaches the patterns of flashing and the color of the visible lights 150 (col. 3, lines 45-46).

13. As to claims 3, 11, 12, Cheng teaches a personal computer 100 is a general-purpose computer system with a flash-pattern of the visible light for indicating various functional statuses (dynamic light effect, and a dynamic ornamental appearance as claimed).

14. As to claim 4, Cheng teaches the lights 150 are controlled by a light control means 160 for controlling a flash-pattern (dynamic ornamental appearance) of the visible light for indicating various functional statuses (monitored events) of the personal computer (col. 3, lines 54-57).

15. As to claims 7-9, 14, Cheng teaches the visible light for indicating various functional statuses (monitored events) of the personal computer (col. 3, lines 54-57). The indication lights 250 in other embodiment may provide statuses and conditions of networking data transmission and reception of the networked computer 200 (col. 4, lines 36-39).

16. As to claim 15, Cheng teaches a light transmissible case 110 (housing) (fig. 1, col. 3, lines 27-29).

17. As to claim 55, Cheng teaches the method includes a step of providing a visible light 150 inside the light-transmissible case 110 (col. 5, lines 32-33).

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18. As to claim 16, Cheng teaches the indication lights 250 in other embodiment may provide statuses and conditions of networking data transmission and reception of the networked computer 200 (col. 4, lines 36-39).

19. As to claim 17, Cheng teaches the lights 150 provide visible light emission as indications of the operational conditions or functional status of the personal computer 100 through the light transmissible case 110 (col. 3, lines 39-41). Thus, the operational conditions or functional status provide obviously the states of microprocessor on, sleep or off.

20. As to claim 18, Cheng teaches providing a visible light 150 inside the light-transmissible case 110 for providing indication of various functional statuses of the electronic device 100 through the light transmissible case (col. 5, lines 32-35). Thus, various functional statuses provide obviously the program status events as claimed.

21. As to claim 19, Cheng teaches a personal computer 100 which is a desktop computer.

22. As to claim 39, Cheng teaches a method comprising

the step of providing the light control means 160 further includes a step of providing a light intensity control means for controlling an intensity of the visible light for indicating various functional statuses of the electronic device 100,

the step of providing the light control means 160 further includes a step of providing a light flash-pattern control means for controlling a flash-pattern of the visible light for indicating various functional statuses of the electronic device,

the step of providing the light control means 160 further includes a step of providing a color control means for controlling a color of the visible light for indicating various functional statuses of the electronic device (col. 5, lines 40-53).

23. As to claim 41, Cheng teaches a personal computer 100 which includes PCB 120 (hardware, fig. 1) is a general-purpose computer system.

24. As to claim 42, Cheng teaches indicating various functional statuses of the electronic device (col. 5, lines 40-53). Thus, various functional statuses provide inherently the predetermined configuration information by user settings.

25. As to claim 43, Cheng teaches a computer system comprises

the indications of the operational conditions or functional status (an event monitor) of the personal computer 100 (col. 3, lines 39-41),

the printed circuit board 120 (PCB, fig. 1) defined the light effect manager, a plurality of lights 150 (light arrangement) which coupled to PCB 120 provides visible light emission as indications of the operational conditions or functional status of the personal computer 100 through the light transmissible case 110 (col. 3, lines 39-41),

a light control means 160 for controlling a flash-pattern (dynamic ornamental appearance) of the visible light for indicating various functional statuses (monitored events) of the personal computer (col. 3, lines 54-57).

26. As to claim 44, Cheng teaches a personal computer 100 (fig. 1) which includes PCB 150 is one of a processor or controller.

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27. As to claim 45, Cheng teaches a personal computer 100 (fig. 1) which includes inherently a microprocessor having an operating system, utility program or application program.

28. As to claim 46, Cheng teaches indicating various functional statuses of the personal computer (col. 3, lines 54-57) which includes inherently input data or output data.

29. As to claims 47, 48, Cheng teaches a plurality of lights 150 (light arrangement) which coupled to PCB 120 provides visible light emission as indications of the operational conditions or functional status (desired light effect) of the personal computer 100 through the light transmissible case 110 (col. 3, lines 39-41).

30. Claim 20 is rejected under 35 U.S.C. 102(e) as being anticipated by Laurikka et al (previously cited).

31. As to claim 20 (currently revised), Laurikka et al teach in order to be able to form different pattern 8 on the surface of the cover 1, it has to be possible to change the color on the cover of the wireless communication device 7 in small sections (col. 4, lines 45-48). The desired pattern can be formed from these small areas which can be controlled separately by means of control signals (col. 4, lines 52-54). Thus, the teaching of Laurikka et al corresponds to the claimed limitation changing color of one or more regions of the housing.

The display 9 of the wires communication device 7 can be arranged to change color by producing the part form a material which changes color under the effect of control signal (col. 6, lines 1-5). The color can be changed for example when a call or a

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text message arrives, when the state of charge of the battery is weak or when the user sets the color on the display 9 to a different one by means of the menu of the wireless communication device 7 (col. 6, lines 8-12). Thus, the teaching of Laurikka et al corresponds to the claimed limitation changing color indicators of one or more sampled regions of the screen display.

Both changing color of one or more regions of the housing and changing color indicators of one or more sampled regions of the screen display can be controlled separately by means of control signals.

Fig. 3 shows expressly two half-color circles are adjacent to two icon battery and icon signal.

Therefore, the teaching of Laurikka et al meet the claimed limitation "changing color of one or more regions of the housing based on the color indicators of one or more sampled regions of the screen display."

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Laurikka et al in view of Kawashima et al (US 5,774,098).

34. As to claim 32 (currently revised), Laurikka et al teach in order to be able to form different pattern 8 on the surface of the cover 1, it has to be possible to change the color

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on the cover of the wireless communication device 7 in small sections (col. 4, lines 45-48). The desired pattern can be formed from these small areas which can be controlled separately by means of control signals (col. 4, lines 52-54). Thus, the teaching of Laurikka et al corresponds to the claimed limitation changing color of one or more regions of the housing as claimed.

The display 9 of the wireless communication device 7 can be arranged to change color by producing the part from a material which changes color under the effect of control signal (col. 6, lines 1-5). The color can be changed for example when a call or a text message arrives, when the state of charge of the battery is weak or when the user sets the color on the display 9 to a different one by means of the menu of the wireless communication device 7 (col. 6, lines 8-12). It would have been obvious to provide extending the feel of a display screen to a housing that surrounds the display screen as claimed.

Thus, the teaching of Laurikka et al corresponds to the limitation changing color indicators of one or more sampled regions of the screen display.

Both changing color of one or more regions of the housing and changing color indicators of one or more sampled regions of the screen display can be controlled separately by means of control signals.

Fig. 3 shows expressly two half-color circles are adjacent to two icon battery and icon signal.

Therefore, the teaching of Laurikka et al meet the claimed limitation "changing color of one or more regions of the housing in conjunction with the color indicators of one or more sampled regions of the screen display."

Laurikka et al teach all the subject matter claimed except for the use of the electronic ink instead of light emitting.

However, the lights 150 instead of light emitting diodes (LEDs, fig. 1) have recognized in the art as equivalents as evidenced by Welch. Welch teaches that the benefit of using LEDs to provide visual feedback to the user (col. 1, lines 23). Therefore, it would have been obvious to one of ordinary skill in the art to replace the lights 150 in Cheng with LEDs to achieve the benefit to improve button viewability and feedback would be helpful to a user when playing a CD, answering the telephone, or any other computer functions controlled by the buttons as taught by Welch (col. 3, lines 44-47).

Moreover, where the claimed differences involve substitution of interchangeable equivalents and the reason for the selection of one equivalent for another was not to solve an existent problem such substitution has been judicially determined to have been obvious. See In re Ruff, 118 USPQ 343 (CCPA 1958).

35. As to claim 33, Laurikka et al teach his invention is applied to a portable computer (see details in col. 6, lines 45-52). Thus, the portable computer is a general-purpose computer system.

36. As to claim 34, Laurikka et al teach in order to be able to form different pattern 8 on the surface of the cover 1, it has to be possible to change the color on the cover of the wireless communication device 7 in small sections (col. 4, lines 45-48). The desired

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pattern can be formed from these small areas which can be controlled separately by means of control signals (col. 4, lines 52-54). Thus, the teaching of Laurikka et al corresponds to the claimed limitation changing color of one or more regions of the housing as claimed.

The display 9 of the wires communication device 7 can be arranged to change color by producing the part form a material which changes color under the effect of control signal (col. 6, lines 1-5). The color can be changed for example when a call or a text message arrives, when the state of charge of the battery is weak or when the user sets the color on the display 9 to a different one by means of the menu of the wireless communication device 7 (col. 6, lines 8-12). Thus, the teaching of Laurikka et al corresponds to the claimed limitation changing color indicators of one or more sampled regions of the screen display as claimed.

Both changing color of one or more regions of the housing and changing color indicators of one or more sampled regions of the screen display can be controlled separately by means of control signals.

Therefore, the teaching of Laurikka et al meet the claimed limitation "changing color of one or more regions of the housing based on the color indicators of one or more sampled regions of the screen display."

37. As to claim 35, Cheng teaches the housing 110 houses inherently at least a microprocessor (fig. 1).

38. As to claim 36, Laurikka teaches the cover 1 (housing) of the cell phone (fig. 3) being illuminated cover 1 at least the screen display 9 (fig. 3).

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39. As to claim 37, Cheng teaches a personal computer 100 is a general-purpose computer system.

40. As to claim 38, Laurikka teaches the display 9 includes two icons form on the display, col. 1, lines 23-24. Fig. 3 shows each of icon battery and icon signal on the display screen 9 matched with one of the electronic inks (color circles) of the cover 1.

Claim Rejections - 35 USC § 103

41. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

42. Claims 49-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng in view of Scheinberg (IDS cited, US 6,030,088).

43. As to claim 49, Cheng teaches all of the claimed limitation of claim 43, except for a second computer component, and second illuminable housing.

However, Scheinberg teaches an electronic component 12 or enclosure 14 having a clear case 10 (fig. 1, col. 3, lines 37-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the electronic component 12 or enclosure 14 having a clear case 10 taught by Scheinberg for Cheng's computer 100, because this would extends about the periphery of the electronic component, so as to enhance the esthetic appearance thereof as taught by Scheinberg (col. 2, lines 31-33).

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44. As to claim 50, Scheinberg teaches the switch 40 which controls the light 36 on and off (fig. 1, col. 4, lines 10-12). It would have been obvious to provide the light effect manager in the electronic component 12 or enclosure 14.

Cheng teaches a light control means 160 for controlling a flash-pattern (dynamic ornamental appearance) of the visible light for indicating various functional statuses (monitored events) of the personal computer (col. 3, lines 54-57).

Therefore, the combination of Cheng with the Scheinberg provides and establishes the "substantial evidence" to produce and result the claimed limitations of claim 50.

45. As to claim 51, Scheinberg teaches the first and second light arrangements (12, 14, fig. 1, col. 4, lines 6-8) are configured to illuminate their respective illuminable housings (see fig. 1).

46. As to claims 52, 53, Scheinberg teaches the computer system (see fig. 1) is a general-purpose computer, the CPU is a base, the keyboard which is a peripheral device (see fig. 1).

47. As to claim 54, Cheng teaches the networked computer 200 (fig. 2, col. 4, lines 38-39).

48. Claims 5, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng in view of Welch (newly cited, US 5,938,772).

As to claims 5, 40, Cheng teaches all the subject matter claimed except for the use of the lights 150 instead of light emitting diodes (LEDs).

However, the lights 150 instead of light emitting diodes (LEDs, fig. 1) have recognized in the art as equivalents as evidenced by Welch. Welch teaches that the benefit of using LEDs to provide visual feedback to the user (col. 1, lines 23). Therefore, it would have been obvious to one of ordinary skill in the art to replace the lights 150 in Cheng with LEDs to achieve the benefit to improve button viewability and feedback would be helpful to a user when playing a CD, answering the telephone, or any other computer functions controlled by the buttons as taught by Welch (col. 3, lines 44-47).

Moreover, where the claimed differences involve substitution of interchangeable equivalents and the reason for the selection of one equivalent for another was not to solve an existent problem such substitution has been judicially determined to have been obvious. See In re Ruff, 118 USPQ 343 (CCPA 1958).

49. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng in view of Kawashima et al (newly cited, US 5,774,098).

As to claim 6, Cheng teaches all the subject matter claimed except for the use of the light transmissible case 110 instead of housing includes at least none-translucent portion and at least translucent portion.

However, the light transmissible case 110 instead of housing includes at least none-translucent portion and at least translucent portion (fig. 6) have recognized in the art as equivalents as evidenced by Kawashima. Kawashima teaches that the benefit of using at least none-translucent portion 10 and at least translucent portion 2 (fig. 6) to provide indicator to the user. Therefore, it would have been obvious to one of ordinary skill in the art to replace the light transmissible case 110 in Cheng with at least none-

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translucent portion 10 and at least translucent portion 2 to achieve the benefit to provide a signal lamp capable of displaying information in manner which is easily discernable as taught by Welch (col. 3, lines 44-47).

Moreover, where the claimed differences involve substitution of interchangeable equivalents and the reason for the selection of one equivalent for another was not to solve an existent problem such substitution has been judicially determined to have been obvious. See In re Ruff, 118 USPQ 343 (CCPA 1958).

50. Claim 21-33 rejected under 35 U.S.C. 103(a) as being unpatentable over Laurikka et al in view of Cheng.

As to claim 21, Laurikka et al teach all of the claimed limitation of claim 20, except for a plurality of light elements located in the housing of the computing device.

However, Cheng teaches a visible light 150 inside the light-transmissible case 110 for providing indication of various functional statuses of the electronic device 100 through the light transmissible case (col. 5, lines 32-35). The light control means 160 further includes a step of providing a color control means for controlling a color of the visible light for indicating various functional statuses of the electronic device (col. 5, lines 40-53).

Therefore, it would have been obvious to one of ordinary skill in the art to replace the electronic ink in Laurikka with a plurality of lights 150 in Cheng to achieve the benefit to provide reminder or warning signal for user to perform timely maintenance or repair functions as taught by Cheng (col. 1, lines 62-64).

Moreover, where the claimed differences involve substitution of interchangeable equivalents and the reason for the selection of one equivalent for another was not to solve an existent problem such substitution has been judicially determined to have been obvious. See In re Ruff, 118 USPQ 343 (CCPA 1958).

51. As to claim 22, mentioned in paragraph 19, Laurikka teaches the display 9 includes two icons form on the display, col. 1, lines 23-24. Fig. 3 shows each of icon battery and icon signal on the display screen 9 adjacent to one of the electronic inks of the cover 1.

Laurikka teaches all the subject matter claimed except for the use of the electronic ink instead of the light elements.

However, the electronic ink instead of the light elements have recognized in the art as equivalents as evidenced by Cheng. Cheng teaches that the benefit of using the lights 150 to improve display configuration (col. 1, line 58). Therefore, it would have been obvious to one of ordinary skill in the art to replace electronic ink in Laurikka with the lights 150 to achieve the benefit to provide reminder or warning signals for user to perform timely maintenance or repair functions as taught by Cheng (col. 1, lines 62-64), this invention can be employed in cellular phone as taught by Cheng (col. 5, lines 16-20).

Moreover, where the claimed differences involve substitution of interchangeable equivalents and the reason for the selection of one equivalent for another was not to solve an existent problem such substitution has been judicially determined to have been obvious. See In re Ruff, 118 USPQ 343 (CCPA 1958).

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52. As to claim 23, Laurikka teaches the display 9 includes two icons form on the display, col. 1, lines 23-24. Fig. 3 shows each of icon battery and icon signal on the display screen 9 adjacent to one of the electronic inks of the cover 1. Thus, the electronic inks located within the cover 1 defined the configuration as claimed.

53. As to claim 24, Laurikka teaches the display 9 includes two icons form on the display, col. 1, lines 23-24. Thus, the display 9 includes two icons form on the display defined a first configuration. Fig. 3 shows each of icon battery and icon signal on the display screen 9 adjacent to one of the electronic inks of the cover 1. Thus, the electronic inks located within the cover 1 defined the first configuration as claimed.

54. As to claim 25, Laurikka teaches fig. 3 showing the black circles defined the number of the plurality of the regions of the housing of the computing device (the cell phone, fig. 3).

55. As to claim 26, Cheng teaches the color of visible light 150 (col. 3, line 46).

56. As to claim 28, Cheng teaches a personal computer 100 is a general-purpose computer system.

57. As to claim 29, Laurikka teaches the cell phone is the shape of 3 dimension (fig. 3). Therefore, it is obviously to provide the housing of the cell phone housed at least the screen display at a front portion therefor, and the plurality of black circles (fig. 3) being illuminated are provided on a rear portion of the housing of the cell phone (fig. 3).

58. As to claim 30, Cheng teaches the housing 110 houses inherently at least a microprocessor (fig. 1).

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59. As to claim 31, Cheng teaches this invention can be employed in various electronic devices such as cellular phones, PDA (col. 5, lines 16-21).

60. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Laurikka in view of Cheng, and further in view of Welch.

As to claim 27, the combination of Laurikka and Cheng teaches all the subject matter claimed except for the use of the lights 150 instead of light emitting diodes (LEDs).

However, the lights 150 instead of light emitting diodes (LEDs, fig. 1) have recognized in the art as equivalents as evidenced by Welch. Welch teaches that the benefit of using LEDs to provide visual feedback to the user (col. 1, lines 23). Therefore, it would have been obvious to one of ordinary skill in the art to replace the lights 150 in Cheng with LEDs to achieve the benefit to improve button viewability and feedback would be helpful to a user when playing a CD, answering the telephone, or any other computer functions controlled by the buttons as taught by Welch (col. 3, lines 44-47).

Moreover, where the claimed differences involve substitution of interchangeable equivalents and the reason for the selection of one equivalent for another was not to solve an existent problem such substitution has been judicially determined to have been obvious. See In re Ruff, 118 USPQ 343 (CCPA 1958).

Response to Arguments

61. Applicant's arguments filed 03/25/2005 have been fully considered but they are not persuasive. Applicant argues features in claims 1, 10, 20, 21, 32, 39 that are newly recited. Thus, new grounds of rejection have been used. See above rejections.

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62. Applicant's arguments with respect to claims 34, 43 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


63. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Nguyen whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit 2674

KMN
May 11, 2005


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